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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C.

In The Matter of)
)
Amendment of Rule 73.202(b)) MM Docket No. 93- 136
Table of Allotments) RM-8161
FM Broadcast Stations)
Key Colony Beach, Key Largo, and)
Marathon Beach, Florida)

TO: Chief, Mass Media Bureau

JOINT REPLY TO OPPOSITION

OKEECHOBEE BROADCASTING, INC.
WSUV, INC.
JUPITER BROADCASTING CORPORATION

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TABLE OF CONTENTS

Table of Contents	i
Summary	ii
I. Contrary to SBSF's Assertions, Viable Reference Sites For Commenters' Proposed Fort Myers Villas Allotment Do Exist	2
a. Sanibel Island is neither unavailable nor unsuitable as the site of an allotment reference point for Fort Myers Villas	3
b. Additional suitable reference sites exist on the mainland	5
II. SBSF's Allegations of Loss of Service Resulting From Commenters Counterproposal Are False And Misleading	11
III. SBSF's Consistent Pattern of Misrepresentation In This Proceeding Cannot be Attributed to Innocent Error	12
CONCLUSION.	15
EXHIBITS:	
1. Statement of James M. Johnson	
2. Statement of Jerry Bellairs (and attachments)	
3. Statement of Charles C. Castle	

SUMMARY

Commenters hereby submit a Joint Reply to Opposition in order to respond to misstatements of fact and misrepresentations made by SBSF. In an effort to mislead the Commission, SBSF has wrongfully and repeatedly stated that the Sanibel Island reference site proposed by Commenters for the Fort Myers Villas allocation, would be unavailable or unsuitable for the placement of a radio tower, and that such a conclusion holds true for all of Sanibel Island. SBSF has also repeatedly and falsely stated that the entire permissible area in which one could place such a reference point would lie on Sanibel Island, disregarding both evidence in its own pleadings and the belated admissions of its engineer.

Similarly SBSF advances a loss of service argument which fails to consider AM service in determining underserved areas, is in part based on areas located over water, and on comparisons to proposals which SBSF itself concedes may not be properly considered in such evaluations. Therefore, its allegations with respect to any loss areas must therefore be disregarded as flawed and misleading.

Finally, SBSF has misstated or misrepresented the facts in this proceeding on so many issues and on so many occasions, that

one could not possibly view its behavior as anything other than an intentional effort to mislead or deceive the Commission. Therefore, Commenters have opined that sanctions may be appropriate in this instance.

For the foregoing reasons, the allegations of SBSF against Commenters' proposal must be disregarded, SBSF must be sanctioned for its numerous affirmative misrepresentations to the Commission, and the counterproposal advanced by Commenters' should be granted without further delay.

MAY 23 1994

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)	
Amendment of Section 73.202(b))	
Table of Allotments,)	MM Docket No. 93-136
FM Broadcast Stations,)	RM-8161
Key Colony Beach, Key Largo and)	
Marathon, Florida)	

To: Chief, Allocations Branch

JOINT REPLY TO OPPOSITION

Okeechobee Broadcasting, Inc. ("OBI"), licensee of WOKC-FM, Okeechobee, Florida¹; WSUV, Inc. ("WSUV"), licensee of WROC(FM), Fort Myers Villas, Florida²; and Jupiter Broadcasting Corporation ("JBC"), permittee of WADY(FM), Jupiter, Florida (collectively "Commenters"), by their attorneys, hereby submit their reply to both the "Opposition to Motion For Leave to File Out of Cycle Pleading", and the "Contingent Opposition to Supplemental Joint Comments," ("Opposition") filed by Spanish Broadcasting System of Florida, Inc. ("SBSF"), on April 15, 1994.³

¹ An assignment of license for this facility from Okeechobee Broadcasters, Inc. to Amaturo Group, Ltd. will be consummated within the next several days. A statement regarding the new licensee's intention to continue to pursue the upgrade of its facilities through this proceeding will be filed shortly.

² An assignment of license for this facility from Sunshine Broadcasting, Inc. to WSUV, Inc. was recently consummated. In addition, the Station's Call Sign has been changed from WSUV to WROC(FM). A statement regarding the new licensee's intention to continue to pursue the upgrade of its facilities through this proceeding was filed with the Commission on May 9, 1994.

³ With Respect to SBSF's Opposition to File Out of Cycle Pleading, good cause existed for the filing of Commenters' Supplemental Joint Comments, which were addressed to errors of

While Joint Commenters filed their Supplemental Joint Comments ("Supplemental Comments") on March 7, 1994 to clarify certain inaccuracies in SBSF's Reply Comments To Counterproposals ("Reply"), it has become apparent from SBSF's Opposition, that what at first appeared to be possible errors or innocent misstatements of fact by SBSF, apparently represent nothing less than an active and intentional effort by SBSF to misrepresent facts in order to mislead the Commission. As discussed below SBSF has made numerous contradictory and patently false representations concerning Commenters' proposal within its pleadings, a fact which calls into question SBSF's very character as a Commission licensee.

I. Contrary to SBSF's Assertions, Viable Reference Sites For Commenters' Proposed Fort Myers Villas Allotment Do Exist

As part of its their Counterproposal in the instant proceeding Commenters advocated changing the Commission's Table of Allotments to replace Channel 292A with Channel 275C2. In its Reply Comments and again in its Opposition SBSF has made numerous misstatements of fact with regard this aspect of the Commenters' proposal. First, SBSF stated that for various reasons, Sanibel Island, the site of Commenters' proposed reference point for the

fact contained within SBSF's Reply, and concerned issues fundamental to the public interest determination FCC staff has been called upon to make in this proceeding. SBSF's self-serving contentions to the contrary should be viewed in the light of their competitive posture.

Fort Myers Villas allocation, would be unavailable or unsuitable for the placement of a radio tower. Second, SBSF stated that because the entire permissible area in which one could place such a reference point would lie on Sanibel, there remained no viable site for the reference point. Both of these statements are simply incorrect.

- a. **Sanibel Island is neither unavailable nor unsuitable as the site of an allotment reference point for Fort Myers Villas.**

In its Opposition, SBSF erroneously contends that Commenters have essentially acknowledged that Sanibel is unsuitable, and have therefore abandoned their proposed reference site, rather than defend it. (Opposition at pp. 7 & 11). This conclusion, contrary to the assertions of SBSF, has never been accepted by Commenters. In fact Commenters have consistently maintained that the Commission has previously used Sanibel Island reference points for the allocation of facilities, and therefore Commenters are entitled to a presumption of site availability. (Supplemental Comments at n.1).

SBSF cites FM Channel And Class Modifications By Application, 8 FCC Rcd 4735, 73 R.R. 2d 247 (1993) (Released after the commencement of this proceeding) for the proposition that the Commission may look at the suitability of allotment sites. (Opposition at p. 8). Therein the Commission noted that examples of unsuitable allotment reference sites might include "those which are offshore, in a national or state park in which

tower construction is prohibited, on an airport, or otherwise in an area which would necessarily present a hazard to air navigation." The Sanibel site proposed by the Commenters falls within none of these categories, and would satisfy all Commission spacing and coverage requirements.

To reach a conclusion that the proposed reference site, and indeed the entirety of Sanibel Island, is unsuitable or unavailable as a reference site, SBSF engages in the selective use of information in an attempt to mislead the Commission. SBSF proclaims, that the island's unsuitability for use as a reference point is "shown clearly on the record in MM Docket No. 92-10."

(Opposition at p.5) In that Docket, Ruth Communications Corporation ("Ruth"), licensee of WRWX(FM), Channel 253A, Sanibel, Florida, has requested that its community of license be changed from Sanibel to San Carlos Park because it had been unable to find a tower site which could provide city-grade coverage to all of Sanibel. SBSF argues that this is conclusive proof that no sites on Sanibel are "suitable." However, SBSF neglects to mention that, despite the request for a change in its community of license, the amended reference point advanced by Ruth in Docket 92-10, is on Sanibel Island.⁴ Therefore, contrary

⁴ It should also be noted that this reference point (26-26-38N, 82-01-41W), proposed by Ruth as a class upgrade amendment to its pending FCC Rulemaking (RM-7865) proposal in MM Docket 92-10, would also be suitable as a fully spaced reference point for Commenters' proposed Fort Myers Villas allotment. (See Statement of James M. Johnson, attached hereto as Exhibit 1).

to SBSF's assertion, Ruth has not proven that Sanibel Island contains no available sites which would be suitable for a reference site.

In addition, SBSF argues on the basis of hearsay that despite the fact that Commenters' proposed reference site does not lie within a National or State Park, its general proximity to a wildlife refuge located on the island would render it unsuitable, and might draw objections from local factions. However, the potential for controversy, even if valid, is not determinative that approval cannot be obtained. Furthermore, SBSF recklessly speculates that such potential for controversy extends to every corner of the island. SBSF also attempts to infer that because there is no area within the city of Sanibel that is presently zoned for construction of a tower, that such areas are unavailable. As stated above, Commenters are entitled to a presumption of site availability, and SBSF has not established that waivers or zoning changes are unavailable. Thus, SBSF has not established that Commenters' proposed reference site, much less all possible reference sites on Sanibel Island, are unavailable or unsuitable for a Fort Myers Villas reference site or tower location.

b. Additional suitable reference sites exist on the mainland.

In an effort to further mislead the Commission, SBSF claimed

in its Reply that Sanibel Island contains "the entire permissible site area" for the proposed Fort Myers Villas Allotment (Reply at p.9), totally ignoring a suitable piece of the mainland, clearly shown on diagrams contained even within its own pleading (See Reply at Exhibit 1 Figure 2). Despite the fact that Commenters pointed this out in their Supplemental Comments, SBSF has refused to acknowledge its oversight and again falsely asserts in its Opposition that "all of the area in which a potential transmitter site could possibly be located was situated on Sanibel Island." (Opposition at p. 5). This patently false statement is made even in the face of a belated admission by SBSF's own engineer that he had mistakenly overlooked this area. In SBSF's Opposition, Mr. Hurst frankly states that "as the Commenters assert, the 0.5 mile length of land [Punta Rassa] does indeed exist." (Opposition, Exhibit 1 at p.5). SBSF's continued denial of the plain facts contained within its own exhibits and acknowledged by its own engineer can only be viewed as a willful and intentional misrepresentation to the Commission.

In an attempt to deflect attention from its outright misrepresentations concerning the existence of this piece of land, SBSF accuses Commenters of trying to confuse the Commission by offering successive reference site proposals and thereby presenting the Commission with a moving target. (Opposition at p.7). Such an accusation is silly and irrelevant. Commenters entire discussion of a site on Punta Rassa was not

intended primarily as an alternative proposal, but as a response to SBSF's misrepresentation that all workable reference sites for the proposed Fort Myers Villas allotment lie on Sanibel Island. SBSF's allegations concerning zoning on Sanibel, while certainly inconclusive, are simply irrelevant--other allocation reference sites are available. Further, because applicants are "not required to submit a certification of site availability concerning the allotment reference site,"⁵ where a party, such as SBSF, attempts to call into question the specific availability of a particular site, it is helpful to the Commission's deliberations to provide examples of additional reference sites that would be equally suitable.

Thus, as an example of other workable locations for a Fort Myers Villas reference site, Commenters identified coordinates within the Commission's database, currently in use for an allotment at Punta Rassa for channel 249A, from which such a station could meet all spacing and coverage requirements. In order to hold onto its false claim that "all of the area in which a potential transmitter site could possible be located was situated on Sanibel Island," SBSF argues that not only is that reference point offshore, but also misrepresents that the entire area "is a swamp euphemistically known as Punta Rassa." (Opposition at p.7). Further, in a vague effort to support these

⁵ FM Channel And Class Modifications By Application, 73 R.R. 2d at 250 n.19 (1993).

false claims, SBSF argues that there are no towers on Punta Rassa, and that all four applicants for channel 249A have proposed sites on the mainland.

To correct the record, as clearly shown by the attached photographic exhibits, Punta Rassa is not a swamp. In fact, this area which SBSF tries to dismiss as essentially marshland is a solid piece of the mainland with, among other things, several high-rise condominium buildings and a world class resort hotel (See Exhibit 2 attached hereto, Declaration of Jerry Bellairs, aerial view attachment, and photographic attachments 1-3), a deluxe spa and a tennis facility with 13 courts and a championship court seating several thousand people (home of the "Davis Cup" tennis tournament in 1989 and 1992) (See Exhibit 2 at photographic attachment 4), a marina with a ship's store and 4 large boat storage sheds (See Exhibit 2 at photographic attachments 5-6). SBSF's mischaracterization should be seen as nothing but a callous attempt to mislead the Commission.

While SBSF's engineer concedes the existence of Punta Rassa, he proclaims without evidence that, "this area is as unsuitable for an FM tower/transmitter site as any area on Sanibel." The engineer states, "...as to the tiny remaining area on Punta Rassa that is within the FM Fort Myers Villas site area, there are no existing towers according to the most recent antenna tower database." (Opposition at Exhibit 1 p.6) Such a statement is

extremely misleading, because while there may be no towers in the database, there are indeed antennae on this part of Punta Rassa. As the attached photographic exhibits plainly show, there are antennae on top of the high-rise buildings located along the coast (See Exhibit 2 at photographic attachments 7-8).⁶ Therefore, by the irrefutable evidence of Commenters' photographs, SBSF's inference that there are presently no antenna sites on Punta Rassa is shown to be utterly false.

In fact, as discussed in the attached statement of Commenters' consultant Jerry Bellairs (See Exhibit 2), without increasing the height of the existing support structure adequate coverage could be provided from the rooftop site shown in Exhibit 2 at photographic attachments 7 and 8. Also attached hereto is a channel study performed by Commenters' consulting engineer, James M. Johnson, demonstrating that this rooftop site is yet another of the many fully spaced allocation reference sites which would allow for full coverage of Fort Myers Villas. (See Exhibit 1). With such proof of existing, suitable, land-based sites on Punta Rassa, SBSF's statement that "new tower construction is not feasible due to environmental and local permit restraints" (Opposition, Exhibit 1 at p.6) is clearly irrelevant. No new tower need be built. A mast on an existing building is clearly

⁶ While the photographs supplied herewith show only one of the buildings possessing rooftop antennas, several of the other high rise buildings on this part of Punta Rassa have similar antennas.

sufficient.⁷

In summary, it is apparent that SBSF's statement that "there are no suitable non-short-spaced areas from which a proposed transmitter site for the proposed (Fort Myers Villas) station could provide line-of-site principal city coverage over the community of license" (Opposition at pp.4-5), is simply incorrect, and represents a deliberate attempt to undermine Commenters' proposal and mislead the Commission. Commenters continue to maintain that their originally identified site on Sanibel Island is perfectly suitable as a reference site for the proposed Fort Myers Villas allotment. In addition, as discussed

⁷ While no new tower would need to be constructed on Punta Rassa, it should be noted that evidence offered in support of SBSF's assertion that such construction would not be possible is insufficient, highly suspicious, inaccurate, and misleading. The vague hearsay statements of state employees whose agencies do not issue the necessary building or zoning permits, is not conclusive. Additionally, even if such environmental agencies did oppose a proposed tower, which they often do, such opposition is not determinative of the outcome. Furthermore, the reasons allegedly offered by such state employees for their opposition suggests that SBSF did not clearly identify the location of possible sites or the extent of any probable construction. It is difficult to believe that an additional mast on an existing high rise building could have any "negative impact upon bird migration routes (which follow the shoreline)." (Opposition, Exhibit 1 at p.6). Similarly, as discussed in Mr. Bellairs attached statement and the Lee County Eagle Nesting Map appended thereto (Exhibit 2 & attachment 9 thereto), "proximity to existing eagle nests" (Opposition, Exhibit 1 at p.6) would not be a problem either, since the nearest such nest is over 9,000 feet from the building (only 1,500 ft. clearance is required). Finally, since Commenters have never proposed a reference site near a Mangrove swamp, and therefore, concern over "disruption of Mangrove swamp areas" (Opposition, Exhibit 1 at p.6) would similarly not be an issue.

above, other sites on Sanibel, such as the amended reference site currently proposed by Ruth in Docket 92-10, would also be suitable. Finally, Commenters have shown that there are perfectly acceptable transmitter site locations at Punta Rassa, including existing buildings with antenna of sufficient height to provide city grade coverage over Fort Myers Villas.

II. SBSF's Allegations of Loss of Service Resulting From Commenters Counterproposal Are False And Misleading

In a further effort to undermine the proposal of Commenters and mislead the Commission, SBSF, in its Reply, attempted to refute Commenters statement that their counterproposal would provide new service to some 1,339,675 persons. To do this SBSF falsely argued that the proposed change in the Table of Allotments for channel 292A at Clewiston to Channel 258A would result in a loss of service to underserved persons.⁸ Commenters clearly demonstrated in Supplemental Comments, through the use of SBSF's own Exhibit that such statements were patently false. Commenters pointed out that not only was the alleged loss area completely over water, but that because SBSF had failed to consider AM broadcast signals, the alleged loss area was not even

⁸ The exact number of persons that SBSF claims are affected by this fictitious loss area are unclear since the engineering statement contains internal inconsistencies (e.g. losses attributed to the Clewiston proposal in Engineering figure 6, are attributed to the Indiantown proposal within the written statement).

underserved. (See Supplemental Comments at pp.3-4) SBSF had also falsely argued that Commenters' proposal to change channel 276C2 at Indiantown, Florida to Channel 276C1 would result in a loss area. As with Clewiston, Commenters pointed out in their Supplemental Comments that because SBSF had failed to consider AM signals, such areas were not in fact underserved. (See Supplemental Comments at p.4). Furthermore, Commenters pointed out that SBSF's argument was based on computations of coverage from an unbuilt CP site that had since been modified by the December 8, 1993 grant of a new CP at a different site, which as it turns out would be completely within the projected contour from the new allotment reference site. (See Supplemental Comments at p.4)

In its latest Opposition, SBSF fails to concede that it mistakenly omitted AM radio services from its computation of underserved areas, or that any loss area resulting from the Clewiston component of Commenters' proposal would occur completely over water, but rather attempts to deflect attention from these realities by attacking Commenters' attempt to correct and update information relied on by SBSF in its loss of service allegations. SBSF's arguments in this regard effectively concede the issue.

In its Reply SBSF had argued that the proposed allotment facilities would result in the loss of service when compared to

facilities proposed within an outstanding construction permit held by OBI (Reply at Exhibit 1, Figure 5). Now in its Opposition, overlooking the fact that its entire, albeit flawed, loss of service argument was based on an outstanding construction permit, and not existing facilities, SBSF attempts to argue that the Commission may not consider Commenters clarification that on December 8, 1993, the Commission issued OBI a new construction permit, effectively replacing the one relied on by SBSF in its loss of service calculations. SBSF undercuts its own allegations by stating "there is no assurance that the facilities authorized in the WOKC-FM construction permit will ever be constructed."⁹ Therefore, SBSF's conclusion that "no reliance may properly be placed upon the mere grant of [a] construction permit" (Opposition at p.10) effectively concedes that its loss of service arguments were flawed and misleadingly based on proposed rather than existing service to listeners.

Therefore, because SBSF's loss of service arguments failed to consider AM service in determining underserved areas, were in part based on areas located over water, and were based on comparisons to proposals which SBSF itself concedes may not be properly considered in such evaluations, its allegations with

⁹ Contrary to the assertions of SBSF, as indicated in the attached declaration of Charles Castle, President of OBI, WOKC-FM is in the final stages of construction of its new facilities as authorized by the Commission on December 8, 1993. (Exhibit 3 attached hereto).

respect to any loss areas must be disregarded as flawed and misleading.

III. SBSF's Consistent Pattern of Misrepresentation In This Proceeding Cannot be Attributed to Innocent Error

While it is certainly expected that parties to a competitive proceeding will aggressively advocate their proposal, and even present facts in a way that will most favorably reflect on their proposal, Commenters believe that SBSF has fallen from "advocacy" into outright deception. As discussed above, SBSF has misstated or misrepresented the facts in this proceeding on so many issues and on so many occasions, that one could not possibly view its behavior as anything other than an intentional effort to mislead or deceive the Commission.

Specifically, SBSF has made the following misrepresentations each of which has been shown to be false:

- that Commenters site on Sanibel Island is unavailable and unsuitable;
- that the only permissible area for the allocation reference site for the Fort Myers Villas station is on Sanibel Island (despite evidence to the contrary within their own pleading);
- that Commenters Punta Rassa reference point lies offshore;
- that Punta Rassa is nothing but a swamp;
- that there are no existing tower (antenna) sites on Punta Rassa;
- that any Punta Rassa allocation reference site would disrupt bird migration routes;

- that any Punta Rassa allocation reference site would be in close proximity to existing eagle nests;
- that any Punta Rassa allocation reference site would disrupt mangrove swamp areas;
- that 4,016 people live in a loss area which lies completely over Lake Okeechobee;
- that certain loss areas are underserved (disregarding their receipt of additional AM Services);
- that there would be loss areas (calculations based on unbuilt proposals which SBSF has demonstrated that it knew were invalid).

Despite the fact that Commenters submitted a compromise proposal in their Joint Reply Comments whereby the proposals of all parties could essentially be accommodated, SBSF has persisted in misrepresenting facts in a frivolous attempt to discredit Commenters' proposal to provide additional service to 1,339,675 persons. Through its apparent misuse of the Commission's processes, SBSF has already caused inconvenience and a waste of Commission resources, and has forced Commenters to expend substantial funds for legal and engineering assistance to respond to these frivolous arguments. SBSF's behavior in this proceeding has been reprehensible, and while its license will be up for renewal in several years, Commenters feel that SBSF's behavior in this proceeding may in fact warrant independent investigation and possible sanctions.

CONCLUSION

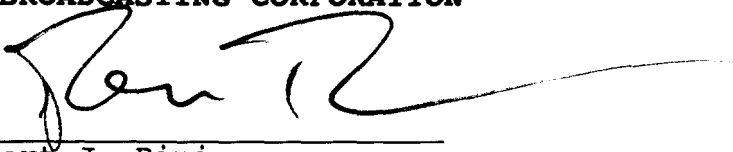
For the foregoing reasons, the allegations of SBSF against Commenter's proposal must be disregarded, SBSF must be sanctioned

for its numerous affirmative misrepresentations to the Commission, and the counterproposal advanced by Commenters' should be granted without further delay.


Respectfully submitted,

**OKEECHOBEE BROADCASTING, INC.
WSUV, INC.
JUPITER BROADCASTING CORPORATION**

By:


Robert J. Rini

By:


Evan D. Carb

Their Attorneys

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Date: May 23, 1994

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JOINT REPLY TO OPPOSITION
Exhibit 1

AFFIDAVIT

State of Florida)
)
County of Highlands) SS:

James M. Johnson, having been duly sworn, deposes and says that:

1. He is a Broadcasters Consultant practicing in the City of Sebring, Florida, and his qualifications are a matter of record with the Federal Communications Commission.

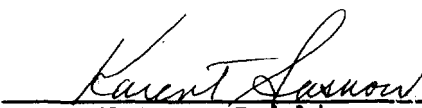
2. He has been retained by Sunshine Broadcasting, Inc., Okeechobee Broadcasters, Inc. and Jupiter Broadcasting Corporation to prepare the attached Engineering Exhibit.

3. He has prepared, or caused to be prepared under his immediate supervision, the accompanying exhibits which are attached to and form part of this affidavit.

4. The foregoing statements and the aforementioned exhibits are true to the best of his knowledge and belief.


James M. Johnson

Subscribed and sworn to this 11th day of May, 1994.


Notary Public
KAREN T. SASNOW
Notary Public, State of Florida At Large
My Commission Expires Oct. 29, 1994

JAMES M. JOHNSON & ASSOCIATES
BROADCAST CONSULTANTS

FORT MYERS VILLAS, FLORIDA
CONDO SITE

REFERENCE		CLASS C2	DISPLAY DATES
26 29 20 N			DATA 03-27-94
82 00 42 W		Current rules spacings	SEARCH 05-11-94
----- CHANNEL 275 -102.9 MHz -----			

CALL	CH#	CITY	STATE	BEAR'	D-KM	R-KM	MARGIN
AD275	275C2	Fort Myers Villas	FL	229.3	9.43	190.0	-180.57 *
DE276	276C3	Naples	FL	144.2	49.58	117.0	-67.42 *
WSGL.C	276C3	Naples	FL	144.2	49.58	117.0	-67.42 *
WSGL	276A	Naples	FL	144.2	49.54	106.0	-56.46 *
WHPT	273C	Sarasota	FL	346.9	104.59	105.0	-0.41 *
WMXJ	274C	Pompano Beach	FL	107.8	189.19	188.0	1.19 <
WOKCFM	276A	Okeechobee	FL	55.5	142.33	106.0	36.33
AD276	276C1	Indiantown	FL	75.2	194.95	158.0	36.95
ALOPEN	278C	Bradenton	FL	346.7	151.80	105.0	46.80
AD278	278C	Bradenton	FL	346.7	151.80	105.0	46.80

JAMES M. JOHNSON & ASSOCIATES
BROADCAST CONSULTANTS

FORT MYERS VILLAS, FLORIDA
CONDO SITE

REFERENCE		DISPLAY DATES
26 29 20 N	CLASS C2	DATA 03-27-94
82 00 42 W	Current rules spacings	SEARCH 05-11-19
----- CHANNEL 275 -102.9 MHz -----		

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
AD275	275C2	Fort Myers Villas	FL	229.3	9.43	190.0	-180.57 *
AD	26 26 00	82 05 00	0.000 kW	0M	5.9	118.1	
	Sunshine Broadcasting, Inc.				RM8310		930726
>PRM-Site Restricted 26.0 km Southwest-Counterproposal							
DE276	276C3	Naples	FL	144.2	49.58	117.0	-67.42 *
DE	26 07 33	81 43 17	0.000 kW	0M	30.8	72.7	
	Okeechobee Broadcasting, Inc.				RM8310		930726
WSGL.C	276C3	Naples	FL	144.2	49.58	117.0	-67.42 *
CP ZCN	26 07 33	81 43 17	14.000 kW	134M	30.8	72.7	
	Sterling Communications Corp.				BPH920527IG		
>From Channel 276A Per D89-434							
WSGL	276A	Naples	FL	144.2	49.54	106.0	-56.46 *
LI CN	26 07 34	81 43 18	2.000 kW	117M	30.8	65.9	
	Sterling Communications Corp.				BLH850620KS		
>*To Channel 276C3 Per D89-434							
WHPT	273C	Sarasota	FL	346.9	104.59	105.0	-0.41 *
LI CN	27 24 30	82 15 00	100.000 kW	503M	65.0	65.3	
	Paxson Tampa License, Limited				BLH890126KE		
WMXJ	274C	Pompano Beach	FL	107.8	189.19	188.0	1.19 <
LI DEN	25 57 59	80 12 33	100.000 kW	307M	117.6	116.8	
	Jefferson-Pilot Communication				BLH860313KC		
WOKCFM	276A	Okeechobee	FL	55.5	142.33	106.0	36.33
LI CN	27 12 59	80 49 53	3.000 kW	88M	88.5	65.9	
	Okeechobee Broadcasters, Inc.				BLH871223KA		
>*To Indiantown, FL Per D92-203-From Channel 276C2 Per D89-434							
AD276	276C1	Indiantown	FL	75.2	194.95	158.0	36.95
AD	26 56 22	80 07 04	0.000 kW	0M	121.2	98.2	
	Okeechobee Broadcasting, Inc.				RM8310		930726
ALOPEN	278C	Bradenton	FL	346.7	151.80	105.0	46.80
AL N	27 49 20	82 21 50	0.000 kW	0M	94.3	65.3	
	92-59						
>Site Restricted-Effective 5-28-93-Reserved for WDUV per D92-59							

JAMES M. JOHNSON & ASSOCIATES
BROADCAST CONSULTANTS

CLASS C2

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
AD278	278C	Bradenton	FL	346.7	151.80	105.0	46.80
AD	27 49 20	82 21 50	0.000 kW	0M	94.3	65.3	
	ECI License Company, L.P.				RM7923		930514
